

CHAPTER 117: TOWING AND STORAGE BUSINESSES

Section

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§117.01 MAINTENANCE OF LIST OF ELIGIBLE BUSINESSES

- (A) The Chief of Police shall prepare and maintain an eligible list of those persons, firms or corporations (in this chapter called “garage”) having businesses located within the city or within a 20 minute response time of the city limits, who apply and qualify to tow and store automobiles and trucks from the streets and other public places in the city at the request of the Police Department. The Chief of Police shall prepare rules in accordance with the provisions of this section for the qualification of garages for the eligible list. The eligible list shall also include all persons, firms, or corporations providing towing and storing service on date of adoption of this amendment.
- (B) Any garage on the eligible list which violates any provision of this section or the rules established in accordance herewith shall be subject to removal from the eligible list after written notice. Any garage removed from the list may, within five working days of the date of the notice of removal, request a hearing before the Chief of Police to show cause, why the garage should not be removed from the list.
- (C) Any application or registration fees collected from this chapter shall be used by the Belmont Police Department for the cost associated with enforcement, monitoring, the Towing and Storage Business.
(Ord. 07-16, passed - -)

§117.02 QUALIFICATION

- (A) To qualify for the eligible list, an applicant must:
 - (1) Keep his or her garage either open or available, by one business telephone number, 24 hours per day, seven days a week;
 - (2) Have available at all times equipment in good working condition capable of towing any automobile or truck, regardless of the size or weight, from the streets and other public or private places in the city when called upon to do so;
 - (3) Have at or in the immediate vicinity of his or her garage sufficient fenced storage space and facilities to protect both damage and undamaged vehicles from further damage by exposure to the elements.

(B) The applicant must also agree to assume the obligation:

- (1) To promptly tow and store all vehicles to be removed from the public street or other public places or private property upon the request of the Police Department;
- (2) Pay an annual application fee of \$100 which is not refundable;
- (3) To issue a receipt to the Police Department for each vehicle towed and stored and keep the vehicle until its release is authorized by the Police Department;
- (4) To store damaged automobiles in such manner as to secure their protection against further damage by the elements;
- (5) To collect towing and storage fees from the owner of the vehicle or by the sale of the vehicle without recourse to the city, unless it is found that no probable cause existed for the towing, pursuant to G.S. §20-219.11;
- (6) To pay for all damages to vehicles entrusted to his or her custody as the result of his or her negligence and to maintain, for the protection of the vehicle owners, garage keeper's legal liability insurance of not less than \$5,000 while performing any of the services provided for this section;
- (7) To remove from the scene of a motor vehicle crash, in which the vehicle to be towed was involved, all glass, metal or debris caused by the accident;
and
- (8) To comply with other criteria relating to towing procedures established by the City Manager of Chief of Police.
(Ord. 07-16, passed - -)